

8-19-04

IFW
\$

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/734,063	12/10/2003	Jon Carl Marlowe	9301-232-999

20583
JONES DAY
222 EAST 41ST STREET
NEW YORK, NY 10017

CONFIRMATION NO. 9078

FORMALITIES LETTER



OC000000012144022

Date Mailed: 03/19/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents03/19/2004 JBALINAM 00000060 503013 10734063 P.O. Box 1450
01 FC:1051 130.00 DA Alexandria VA 22313-1450*A copy of this notice MUST be returned with the reply.*

T. TU

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Express Mail No. EV 456 933 313 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marlowe *et al.*

Confirmation No.: 9078

Serial No. 10/734,063

Art Unit: 1635

Filed: December 10, 2003

Examiner: To be assigned

For: AUTOMATED SYSTEM AND METHOD
FOR PREPARING AN ASSAY READY
BIOLOGICAL SAMPLE

Attorney Docket No. 9301-232-999

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


In response to the Notice to File Missing Parts of Nonprovisional Application dated March 19, 2004 ("Notice"), a copy of which is attached hereto, respectfully submitted herewith are: (1) a Declaration for Non-Provisional Patent Application executed in two counterparts by inventors Jon Carl Marlowe, Elizabeth Anne West, Hienthuc Phan, and Emily Ruth Schultz on July 20, 2004, July 14, 2004, June 28, 2004 and June 18, 2004, respectively; and (2) a Power of Attorney By Assignee executed by Alan B. Sachs on July 21, 2004, on behalf of Rosetta Inpharmatics LLC, assignee of the above-identified application. An Assignment of the above-identified application to Rosetta Inpharmatics LLC is concurrently submitted for recordation on even date herewith. Also enclosed is a Petition for Extension of Time for three months, from May 19, 2004 up to and including August 19, 2004, accompanied by the appropriate fee.

It is requested that the enclosed documents be made of record in the file of the above-identified application.

The fee for this submission is believed to be \$130.00 (large entity). Please charge the required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed.

Date: August 17, 2004

Respectfully submitted,

for  ^{#46,078}
Adriane M. Antler 32,605
JONES DAY (Reg. No.)
222 West 41st Street
New York, New York 10017-6702
(212) 326-3939

Enclosures